General Assembly

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Seventieth session
Agenda item 70 (*a*)

Resolution adopted by the General Assembly on 17 December 2015

[*on the report of the Third Committee (A/70/487)*]

70/139. Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination[3] and other relevant human rights instruments,

Recalling the provisions of Commission on Human Rights resolutions 2004/16 of 16 April 2004[4] and 2005/5 of 14 April 2005[5] and relevant Human Rights Council resolutions, in particular resolutions 7/34 of 28 March 2008,[6] 18/15 of 29 September 2011[7] and 21/33 of 28 September 2012,[8] as well as its resolutions 60/143 of 16 December 2005, 61/147 of 19 December 2006, 62/142 of 18 December 2007, 63/162 of 18 December 2008, 64/147 of 18 December 2009, 65/199 of 21 December 2010, 66/143 of 19 December 2011, 67/154 of 20 December 2012, 68/150 of 18 December 2013 and 69/160 of 18 December 2014 on this issue, resolutions 61/149 of 19 December 2006, 62/220 of 22 December 2007, 63/242 of 24 December 2008, 64/148 of 18 December 2009, 65/240 of 24 December 2010, 66/144 of 19 December 2011, 67/155 of 20 December 2012 and 68/151 of 18 December 2013, and its resolution 69/162 of 18 December 2014, entitled "A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action",

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 660, No. 9464.

[4] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[5] Ibid., *2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[6] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[7] Ibid., *Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. II.

[8] Ibid., *Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. II.

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Acknowledging other important initiatives of the General Assembly aimed at raising awareness about the suffering of victims of racism, racial discrimination, xenophobia and related intolerance, including in the historical perspective, in particular regarding commemoration of the victims of slavery and the transatlantic slave trade,

Mindful of the seventieth anniversary of the establishment of the Nuremberg Tribunal, and recalling in this regard the Charter of the Tribunal and the Judgement of the Tribunal, which recognized as criminal, inter alia, the SS organization and all its integral parts, including the Waffen SS, through its officially accepted members implicated in or with knowledge of the commission of war crimes and crimes against humanity connected with the Second World War, as well as other relevant provisions of the Charter and the Judgement,

Recalling the relevant provisions of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[9] in particular paragraph 2 of the Declaration and paragraph 86 of the Programme of Action, as well as the relevant provisions of the outcome document of the Durban Review Conference of 24 April 2009,[10] in particular paragraphs 11 and 54,

Alarmed, in this regard, at the spread in many parts of the world of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups, as well as racist extremist movements and ideologies,

Deeply concerned by all recent manifestations of violence and terrorism incited by violent nationalism, racism, xenophobia and related intolerance,

Recognizing with deep concern the alarming increase in instances of discrimination, intolerance and extremist violence motivated by anti-Semitism, Islamophobia and Christianophobia and prejudices against persons of other religions and beliefs,

Recalling that in 2015 the international community celebrated the seventieth anniversary of victory over Nazism in the Second World War, and welcoming in this regard the special solemn meeting held on 5 May 2015 during the sixty-ninth session of the General Assembly,

Stressing that this historic event contributed to establishing the conditions for the creation of the United Nations, designed to prevent future wars and save succeeding generations from the scourge of war,

1. *Reaffirms* the relevant provisions of the Durban Declaration[9] and of the outcome document of the Durban Review Conference,[10] in which States condemned the persistence and resurgence of neo-Nazism, neo-Fascism and violent nationalist ideologies based on racial and national prejudice and stated that those phenomena could never be justified in any instance or under any circumstances;

2. *Takes note with appreciation* of the report of the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, prepared in accordance with the request contained in its resolution 69/160;[11]

3. *Expresses its appreciation* to the United Nations High Commissioner for Human Rights and his Office for their efforts to fight racism, racial discrimination, xenophobia and related intolerance, including the maintenance by the Office of the United

[9] See A/CONF.189/12 and Corr.1, chap. I.

[10] See A/CONF.211/8, chap. I.

[11] A/70/321.

Nations High Commissioner for Human Rights of a database on practical means to combat racism, racial discrimination, xenophobia and related intolerance;

4. *Expresses deep concern* about the glorification, in any form, of the Nazi movement, neo-Nazism and former members of the Waffen SS organization, including by erecting monuments and memorials and holding public demonstrations in the name of the glorification of the Nazi past, the Nazi movement and neo-Nazism, as well as by declaring or attempting to declare such members and those who fought against the anti-Hitler coalition and collaborated with the Nazi movement participants in national liberation movements;

5. *Calls for* the universal ratification and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[3] and encourages those States parties that have not yet done so to consider making the declaration under its article 14, thus providing the Committee on the Elimination of Racial Discrimination with the competence to receive and consider communications from individuals or groups of individuals within their jurisdiction claiming to be victims of a violation by a State party of any of the rights set forth in the Convention;

6. *Emphasizes* the recommendation of the Special Rapporteur that "any commemorative celebration of the Nazi regime, its allies and related organizations, whether official or unofficial, should be prohibited by States",[12] also emphasizes that such manifestations do injustice to the memory of the countless victims of the Second World War and negatively influence children and young people, and stresses in this regard that it is important that States take measures, in accordance with international human rights law, to counteract any celebration of the Nazi SS organization and all its integral parts, including the Waffen SS;

7. *Expresses concern* about recurring attempts to desecrate or demolish monuments erected in remembrance of those who fought against Nazism during the Second World War, as well as to unlawfully exhume or remove the remains of such persons, and in this regard urges States to fully comply with their relevant obligations, inter alia, under article 34 of Additional Protocol I to the Geneva Conventions of 1949;[13]

8. *Notes with concern* the increase in the number of racist incidents worldwide, including the rise of skinhead groups, which have been responsible for many of these incidents, as well as the resurgence of racist and xenophobic violence targeting, inter alia, persons belonging to national, ethnic, religious or linguistic minorities, including arson attacks on houses and vandalization of schools and places of worship;

9. *Reaffirms* that such acts may be qualified as falling within the scope of the Convention, that they may not be justified when they fall outside the scope of the rights to freedom of peaceful assembly and of association as well as the rights to freedom of expression and that they may fall within the scope of article 20 of the International Covenant on Civil and Political Rights[2] and may be subject to certain restrictions, as set out in articles 19, 21 and 22 of the Covenant;

10. *Condemns without reservation* any denial of or attempt to deny the Holocaust;

11. *Welcomes* the call of the Special Rapporteur for the active preservation of those Holocaust sites that served as Nazi death camps, concentration and forced labour camps and prisons, as well as his encouragement to States to take measures, including

[12] Ibid., para. 73.

[13] United Nations, *Treaty Series*, vol. 1125, No. 17512.

legislative, law enforcement and educational measures, to put an end to all forms of Holocaust denial;[14]

12. *Calls upon* States to continue to take adequate steps, including through national legislation, in accordance with international human rights law, aimed at the prevention of hate speech and incitement to violence against persons belonging to vulnerable groups;

13. *Expresses deep concern* about attempts at commercial advertising aimed at exploiting the sufferings of the victims of war crimes and crimes against humanity committed during the Second World War by the Nazi regime;

14. *Stresses* that the practices described above do injustice to the memory of the countless victims of crimes against humanity committed in the Second World War, in particular those committed by the SS organization and by those who fought against the anti-Hitler coalition and collaborated with the Nazi movement, and may negatively influence children and young people, and that failure by States to effectively address such practices is incompatible with the obligations of States Members of the United Nations under its Charter, including those related to the purposes and principles of the Organization;

15. *Also stresses* that such practices fuel contemporary forms of racism, racial discrimination, xenophobia and related intolerance and contribute to the spread and multiplication of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and in this regard calls for increased vigilance;

16. *Expresses concern* that the human rights and democratic challenges posed by extremist political parties, movements and groups are universal and no country is immune to them;

17. *Emphasizes* the need to take the measures necessary to put an end to the practices described above, and calls upon States to take more effective measures in accordance with international human rights law to combat those phenomena and extremist movements, which pose a real threat to democratic values;

18. *Encourages* States to adopt further measures to provide training for the police and other law enforcement bodies on the ideologies of extremist political parties, movements and groups whose advocacy constitutes incitement to racist and xenophobic violence, to strengthen their capacity to address racist and xenophobic crimes, to fulfil their responsibility for bringing to justice the perpetrators of such crimes and to combat impunity;

19. *Expresses deep concern* about the increased number of seats occupied by representatives of extremist parties of a racist or xenophobic character in a number of national and local parliaments, and emphasizes in this regard the need for all democratic political parties to base their programmes and activities on respect for human rights and freedoms, democracy, the rule of law and good governance and to condemn all messages disseminating ideas that are based on racial superiority or hatred and that have the objective of fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

20. *Expresses concern* that ethnic profiling and police violence against vulnerable groups discourage victims from seeking redress owing to their distrust of the legal system, and in this regard encourages States to improve diversity within law enforcement agencies and to impose appropriate sanctions against those within the public service found guilty of racially motivated violence or of using hate speech;

[14] A/69/334, para. 76.

21. *Expresses deep concern* about the increase in reported cases of racist manifestations during sports events, including those committed by extremist groups, including neo-Nazis and skinhead groups, and calls upon States, sports federations and other relevant stakeholders to strengthen measures to prevent such incidents, while also welcoming the steps that many States, sports federations and clubs have taken to eliminate racism at sporting events;

22. *Recalls* the recommendation of the Special Rapporteur to introduce into national criminal law a provision according to which committing an offence with racist or xenophobic motivations or aims constitutes an aggravating circumstance, allowing for enhanced penalties,[15] and encourages those States whose legislation does not contain such provisions to consider that recommendation;

23. *Underlines* that the roots of extremism are multifaceted and must be addressed through adequate measures such as education, awareness-raising and the promotion of dialogue, and in this regard recommends the increase of measures to raise awareness among young people of the dangers of the ideologies and activities of extremist political parties, movements and groups;

24. *Reaffirms*, in this regard, the particular importance of all forms of education, including human rights education, as a complement to legislative measures, and calls upon States to continue to invest in education, in both conventional and non-conventional curricula, inter alia, in order to transform attitudes and counteract ideas of racial hierarchies and superiority, and counter their negative influence, and to promote the values of non-discrimination, equality and respect for all, as outlined by the Special Rapporteur;

25. *Emphasizes* the recommendation of the Special Rapporteur presented at the sixty-fourth session of the General Assembly, in which he emphasized the importance of history classes in teaching the dramatic events and human suffering which arose out of the adoption of ideologies such as Nazism and Fascism;[16]

26. *Stresses* the importance of other positive measures and initiatives aimed at bringing communities together and providing them with space for genuine dialogue, such as round tables, working groups and seminars, including training seminars for State agents and media professionals, as well as awareness-raising activities, especially those initiated by civil society representatives, which require continued State support;

27. *Underlines* the positive role that relevant United Nations entities and programmes, in particular the United Nations Educational, Scientific and Cultural Organization, can play in the aforementioned areas;

28. *Reaffirms* article 4 of the Convention, according to which States parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights[1] and the rights expressly set forth in article 5 of the Convention, inter alia:

(*a*) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, and incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour

[15] Ibid., para. 81.

[16] A/64/295, para. 104.

or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(*b*) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(*c*) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination;

29. *Also reaffirms* that, as underlined in paragraph 13 of the outcome document of the Durban Review Conference, any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence should be prohibited by law, that all dissemination of ideas based on racial superiority or hatred, or incitement to racial discrimination, as well as all acts of violence or incitement to such acts, shall be declared offences punishable by law, in accordance with the international obligations of States, and that these prohibitions are consistent with freedom of opinion and expression;

30. *Recognizes* the positive role that the exercise of the right to freedom of opinion and expression, as well as full respect for the freedom to seek, receive and impart information, including through the Internet, can play in combating racism, racial discrimination, xenophobia and related intolerance;

31. *Expresses concern* about the increased use of the Internet to promote and disseminate racism, racial hatred, xenophobia, racial discrimination and related intolerance, and in this regard calls upon States parties to the International Covenant on Civil and Political Rights to counter the dissemination of the above-mentioned ideas while respecting their obligations under articles 19 and 20 of the Covenant, which guarantee the right to freedom of expression and outline the grounds on which the exercise of this right can be legitimately restricted;

32. *Recognizes* the need to promote the use of new information and communications technologies, including the Internet, to contribute to the fight against racism, racial discrimination, xenophobia and related intolerance;

33. *Also recognizes* the positive role that the media can play in combating racism, racial discrimination, xenophobia and related intolerance, promoting a culture of tolerance and representing the diversity of a multicultural society;

34. *Encourages* States, civil society and other relevant stakeholders to use all opportunities, including those provided by the Internet and social media, to counter, in accordance with international human rights law, the dissemination of ideas based on racial superiority or hatred and to promote the values of equality, non-discrimination, diversity and democracy;

35. *Encourages* those States that have made reservations to article 4 of the Convention to give serious consideration to withdrawing such reservations as a matter of priority, as stressed by the Special Rapporteur;

36. *Notes* the importance of strengthening cooperation at the regional and international levels with the aim of countering all manifestations of racism, racial discrimination, xenophobia and related intolerance, in particular regarding issues raised in the present resolution;

37. *Stresses* the importance of cooperating closely with civil society and international and regional human rights mechanisms in order to counter effectively all manifestations of racism, racial discrimination, xenophobia and related intolerance, as well as extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and other similar extremist ideological movements that incite racism, racial discrimination, xenophobia and related intolerance;

38. *Encourages* States parties to the Convention to ensure that their legislation incorporates the provisions of the Convention, including those of article 4;

39. *Encourages* States to adopt the legislation necessary to combat racism while ensuring that the definition of racial discrimination set out therein complies with article 1 of the Convention;

40. *Recalls* that any legislative or constitutional measures adopted with a view to countering extremist parties, movements and groups of a racist or xenophobic character, including neo-Nazis and skinhead groups and similar extremist ideological movements, should be in conformity with the relevant international human rights norms, in particular articles 4 and 5 of the Convention and articles 19 to 22 of the Covenant;

41. *Also recalls* the request of the Commission on Human Rights, in its resolution 2005/5,[5] that the Special Rapporteur continue to reflect on this issue, make relevant recommendations in his future reports and seek and take into account in this regard the views of Governments and non-governmental organizations;

42. *Encourages* States to consider including in their reports for the universal periodic review and their reports to relevant treaty bodies information on the steps taken to combat racism, racial discrimination, xenophobia and related intolerance, including with the aim of implementing the provisions of the present resolution;

43. *Requests* the Special Rapporteur to prepare, for submission to the General Assembly at its seventy-first session and to the Human Rights Council at its thirty-second session, reports on the implementation of the present resolution, in particular regarding paragraphs 4, 6, 7, 9, 13, 14, 25 and 26 above, based on the views collected in accordance with the request of the Commission, as recalled in paragraph 41 above;

44. *Expresses its appreciation* to those Governments and non-governmental organizations that have provided information to the Special Rapporteur in the course of the preparation of his reports to the General Assembly;

45. *Stresses* that such information is important for the sharing of experiences and best practices in the fight against extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and other extremist ideological movements that incite racism, racial discrimination, xenophobia and related intolerance;

46. *Encourages* Governments and non-governmental organizations to cooperate fully with the Special Rapporteur in the exercise of the tasks outlined in paragraph 43 above;

47. *Encourages* Governments, non-governmental organizations and relevant actors to disseminate, as widely as possible, information regarding the contents of and the principles outlined in the present resolution, including through the media, but not limited to it;

48. *Decides* to remain seized of the issue.

80th plenary meeting
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Resolution adopted by the General Assembly on 17 December 2015

[*on the report of the Third Committee (A/70/487)*]

70/140. A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling all its previous resolutions on the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action adopted by the World Conference, [1] and in this regard underlining the imperative need for their full and effective implementation,

Stressing that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance has the same status as the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields, and that the Durban Declaration and Programme of Action remains a solid basis and the only instructive outcome of the World Conference, which prescribes comprehensive measures for combating all the scourges of racism and adequate remedies for victims,

Recalling the three Decades for Action to Combat Racism and Racial Discrimination previously declared by the General Assembly, and regretting that the Programmes of Action for those Decades were not fully implemented and that their objectives have yet to be attained,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Underlining the intensity, magnitude and organized nature of slavery and the slave trade, including the transatlantic slave trade, and the associated historical injustices, as well as the untold suffering caused by colonialism and apartheid, and

[1] See A/CONF.189/12 and Corr.1, chap. I.

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that Africans and people of African descent, Asians and people of Asian descent and indigenous peoples continue to be victims of the cascading effects of those legacies,

Acknowledging the efforts and initiatives undertaken by States to prohibit racial discrimination and racial segregation and to engender the full enjoyment of economic, social and cultural rights, as well as civil and political rights,

Emphasizing that, despite efforts in this regard, millions of human beings continue to be victims of racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms and manifestations, some of which manifest in violent forms,

Welcoming the efforts made by civil society in support of the follow-up mechanisms in the implementation of the Durban Declaration and Programme of Action,

Recalling the appointment of the five independent eminent experts by the Secretary-General on 16 June 2003, pursuant to General Assembly resolution 56/266 of 27 March 2002, with the mandate to follow up on the implementation of the provisions of the Durban Declaration and Programme of Action and to make appropriate recommendations thereon, and in this regard underlining the role played and still to be played by those independent eminent experts in mobilizing global political will for concrete action for the total elimination of all the scourges of racism, racial discrimination, xenophobia and related intolerance,

Underlining the primacy of the political will, international cooperation and adequate funding at the national, regional and international levels needed to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance for the successful implementation of the Durban Declaration and Programme of Action,

Recalling its resolution 2142 (XXI) of 26 October 1966, in which it proclaimed 21 March as the International Day for the Elimination of Racial Discrimination,

Recalling also its resolution 62/122 of 17 December 2007, in which it designated 25 March as the annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade,

Recalling further the suffering of the victims of racism, racial discrimination, xenophobia and related intolerance, and the need to honour their memory,

Noting that 2016 will mark the fifteenth anniversary of the Durban Declaration and Programme of Action, and looking forward to its commemoration,

Recognizing and affirming that the global fight against racism, racial discrimination, xenophobia and related intolerance and all their abhorrent and contemporary forms and manifestations is a matter of priority for the international community,

I

International Convention on the Elimination of All Forms of Racial Discrimination

1. *Reaffirms* the paramount importance of universal adherence to and the full and effective implementation of the International Convention on the Elimination

of All Forms of Racial Discrimination,[2] adopted by the General Assembly in its resolution 2106 A (XX) of 21 December 1965, in addressing the scourges of racism and racial discrimination;

2. *Calls upon* States that have not done so to consider acceding to the Convention, and States parties to make the declaration under article 14 of the Convention as a matter of urgency;

3. *Underlines*, in the above context, that the provisions of the Convention do not respond effectively to contemporary manifestations of racial discrimination, in particular in relation to xenophobia and related intolerance, which is recognized as the rationale behind the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001;

4. *Takes note* of the acknowledgement by the Human Rights Council and its subsidiary structures of the existence of both procedural and substantive gaps in the aforementioned Convention, which must be filled as a matter of urgency, necessity and priority;

5. *Invites* the Human Rights Council, in conjunction with its Ad Hoc Committee on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination, in the execution of its mandate, to continue to elaborate complementary standards in order to fill existing gaps in the Convention, in the form of new normative standards aimed at combating all forms of contemporary and resurgent racism, and in this regard, areas such as xenophobia, Islamophobia, anti-Semitism and incitement to national or ethnic and religious hatred that have been identified as constituting substantive gaps;

II

International Decade for People of African Descent

6. *Welcomes* the proclamation of the International Decade for People of African Descent, as contained in its resolution 68/237 of 23 December 2013, and the celebratory launch of the Decade on 10 December 2014;

7. *Also welcomes* the adoption of the programme of activities for the implementation of the International Decade for People of African Descent;[3]

8. *Requests* the Human Rights Council, through the Chair of the Working Group of Experts on People of African Descent, to submit a report on the work of the Working Group to the General Assembly, and in this regard invites the Chair of the Working Group to engage in an interactive dialogue with the Assembly under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance" at its seventy-first session;

III

Office of the United Nations High Commissioner for Human Rights

9. *Welcomes* the positive response by the Office of the United Nations High Commissioner for Human Rights to the requests made by the Human Rights

[2] United Nations, *Treaty Series*, vol. 660, No. 9464.

[3] Resolution 69/16, annex.

Council, in its resolution 6/22 of 28 September 2007,[4] and by the General Assembly, in its resolution 68/151 of 18 December 2013, to realign the work and the name of the former Anti-Discrimination Unit in the Office of the High Commissioner, and also welcomes its renaming as the Anti-Racial Discrimination Section and the realignment of its operational activities to focus exclusively on racism, racial discrimination, xenophobia and related intolerance, as defined in paragraphs 1 and 2 of the Durban Declaration;[1]

10. *Also welcomes* the inclusion of the historic and landmark World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance of 2001 among the 20 major achievements of the Office of the High Commissioner since the adoption of the Vienna Declaration and Programme of Action in 1993;[5]

11. *Requests* the Secretary-General and the Office of the High Commissioner to provide the resources necessary for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

IV

Group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action

12. *Reiterates its requests* to the Secretary-General, pursuant to its resolution 68/151, to revitalize and reactivate the operational activities of the group of independent eminent experts;

13. *Reiterates its invitation* to the Human Rights Council, pursuant to paragraph 16 of General Assembly resolution 68/151, to ensure the visibility, effective participation and optimal utilization of the vast knowledge and experience of the group of independent eminent experts within its subsidiary structures, charged with the mandate of and responsibility for the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action[1], and in this regard requests the Council to submit a progress report to the Assembly at its seventy-first session;

V

Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination

14. *Recalls* the establishment by the Secretary-General, in 1973, of the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination as a funding mechanism that has been utilized for the implementation of the activities of the three Decades for Action to Combat Racism and Racial Discrimination declared by the General Assembly, and in this regard

[4] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A.

[5] A/CONF.157/24 (Part I), chap. III.

appreciates the fact that the Trust Fund has also been utilized for the subsequent programmes and operational activities transcending the three Decades;

15. *Requests* the Secretary-General to include, in his report on the implementation of the present resolution to the General Assembly at its seventy-first session, a section outlining the progress in the implementation of paragraph 18 of its resolution 68/151 regarding the revitalization of the Trust Fund for the purpose of ensuring the successful implementation of the activities of the International Decade for People of African Descent and enhancing the effectiveness of the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action;

16. *Strongly appeals* to all Governments, intergovernmental and non-governmental organizations and individuals as well as other donors in a position to do so to contribute generously to the Trust Fund, and to that end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

VI

Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

17. *Takes note* of the report of the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[6] and encourages the Special Rapporteur, within his mandate, to continue to focus on the issues of racism, racial discrimination, xenophobia and related intolerance and incitement to hatred, which impede peaceful coexistence and harmony within societies, and to submit reports in this regard to the Human Rights Council and the General Assembly;

18. *Reiterates* the invitation to the Special Rapporteur to consider examining national models of mechanisms that measure racial equality and their added value in the eradication of racial discrimination and to report on such challenges, successes and best practices in his next report;

VII

Follow-up and implementation activities

19. *Reiterates its request* to the Human Rights Council to develop and adopt a multi-year programme of activities to provide for the renewed and strengthened outreach activities needed to inform and mobilize the global public in support of the Durban Declaration and Programme of Action and to strengthen awareness of the contribution that they have made in the struggle against racism, racial discrimination, xenophobia and related intolerance;

20. *Requests* the Secretary-General to submit to the General Assembly at its seventy-first session a report on the implementation of the present resolution, including the progress made on the commemoration of the fifteenth anniversary of the adoption of the Durban Declaration and Programme of Action, including through

[6] A/70/321.

the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action;

21. *Requests* the President of the General Assembly and the President of the Human Rights Council to continue convening annual commemorative meetings of the Assembly and the Council during the commemoration of the International Day for the Elimination of Racial Discrimination, with the appropriate focus and themes, and to hold a debate on the state of racial discrimination worldwide, with the participation of the Secretary-General and the United Nations High Commissioner for Human Rights, and in this context encourages the participation of eminent personalities active in the struggle against racial discrimination, Member States and civil society organizations in accordance with the rules of procedure of the Assembly and the Council;

22. *Decides* to remain seized of this priority matter at its seventy-first session under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance".

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[*on the report of the Third Committee (A/70/488)*]

70/141. The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970, entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

Bearing in mind the International Covenants on Human Rights,[1] the Universal Declaration of Human Rights,[2] the Declaration on the Granting of Independence to Colonial Countries and Peoples[3] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[4]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[5]

Recalling also the United Nations Millennium Declaration,[6]

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,[7] and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,[8]

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied

[1] Resolution 2200 A (XXI), annex.
[2] Resolution 217 A (III).
[3] Resolution 1514 (XV).
[4] A/CONF.157/24 (Part I), chap. III.
[5] Resolution 50/6.
[6] Resolution 55/2.
[7] See A/ES-10/273 and Corr.1.
[8] Ibid., advisory opinion, para. 88.

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Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,[9]

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, based on the relevant resolutions of the United Nations, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative[10] and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[11]

Stressing also the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard its resolution 58/292 of 6 May 2004,

Recalling its resolution 69/165 of 18 December 2014,

Recalling also its resolution 67/19 of 29 November 2012,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

80th plenary meeting
17 December 2015

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[9] Ibid., para. 122.

[10] A/56/1026-S/2002/932, annex II, resolution 14/221.

[11] S/2003/529, annex.